IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.1957 OF 2006

Basavraj Dattatray Lohar ..Applicant
Vs.
State of Maharashtra ..Respondents

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Mrs.Nasren Ayubi counsel (appointed) for Applicant
Mr.Rajesh More A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 13, 2007

P.C.

1. Heard the learned counsel appointed for the applicant and the learned A.P.P. for the State. The applicant has preferred this application through jail.

2. The applicant has been convicted in 13 cases and sentenced to various periods of imprisonment. The said 13 cases are as under:

Sr. No.	Case No.	Name of the Court	Date of the Judgment
1.	RCC 76/1999	CJM Kolhapur	23.12.1999
2.	RCC 80/1999	CJM Kolhapur	04.01.2000
3.	RCC 257/1999	JMFC 1st Court	

		Kolhpaur	01.02.2000
4.	RCC 363/1999	JMFC 1st Court	
		Kolhpaur	01.02.2000
5.	RCC 364/1999	JMFC 1st Court	
		Kolhapur	01.02.2000
6.	RCC 169/1999	JMFC 1st Court	
		Kolhapur	01.02.2000
7.	RCC 111/1999	CJM Kolhapur	10.12.2000
8.	RCC 110/1999	CJM Kolhapur	04.02.2000
9.	RCC 73/1999	CJM 1st Court	
		Sangli	07.04.2000
10.	RCC 76/1999	CJM 1st Court	
		Sangli	07.04.2000
11.	RCC 78/1999	CJM 1st Court	
		Sangli	07.04.2000
12.	RCC 107/1999	CJM 1st Court	
		Sangli	07.04.2000
13.	RCC 182/1999	JMFC 1st Court	
		Ichalkaranji	29.05.2000

. Out of the said 13 cases, sentences in the cases at serial Nos. 3, 4, 5 and 6 have been directed to run concurrently, so also sentences in the cases at serial Nos.9, 10, 11 and 12 have been directed to run concurrently. The applicant has now prayed

that in the remaining five cases, the sentences of imprisonment may be directed to run concurrently.

3. The learned counsel for the applicant has placed reliance on a decision of the Supreme Court in the case of **Ammavasai and another Vs. Inspector of Police, Valliyanur and Ors.; (2000) 9 SCC 749.** In the said case, the first appellant was convicted in four different cases. In each of the four cases, the sentences were directed to run one after another. In the said case, Supreme Court did not desire to give benefit of sentences to run concurrently in all cases but adopted a via media and total period of 14 years of imprisonment to the appellant in respect of all the convictions was held to be sufficient to meet the ends of justice.

4. In view of the above, the substantive sentence of imprisonment in RCC No. 76 of 1999 and 80 of 1999 and 110 of 1999 is directed to run concurrently. So also the substantive sentence of imprisonment in RCC 110 of 1999 and RCC 111 of 1999 to run concurrently. It is made clear that these sentences shall run after the period of sentences in the cases at serial Nos.3 to 6 and thereafter at

serial Nos. 9 to 12 is completed. After the sentence of imprisonment in RCC Nos. 76 of 1999 and 80 of 1999 is over, and thereafter sentence of imprisonment in RCC No. 110 of 1999 and RCC No.111 of 1999 is over, sentence in RCC No.182 of 1999 shall run thereafter.

5. Application is disposed of.

6. This order to be communicated to the applicant who is in jail.

[V.K.Tahilramani, J.]